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**MINUTES OF THE PROCEEDINGS**  
**REGULAR MEETING**  
**OF THE**  
**RETIREMENT BOARD OF THE POLICEMEN'S**  
**ANNUITY & BENEFIT FUND**  
**HELD**  
**THURSDAY – AUGUST 27, 2015**

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The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held August 27, 2015, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Trustees Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

ABSENT: 0.

PRESIDING: President and Trustee Kenneth Hauser.

President Hauser called the meeting to order.

The first order of business was review of the minutes of the Regular Meeting held July 30, 2015.

*It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the minutes of the Board Meeting held July 30, 2015, as amended.*

**ROLL CALL**

For: Avila, Hamburger, Hauser, Lappe 4.

Absent: Brown, Maloney, Summers 3.

Against: 0.

Abstain: Wright 1.

President Hauser called for a motion to adopt the Orders of the Board on three cases:

**Colette Kopterski.** On the disability claim, the Board finds that it does not have jurisdiction to hear the Kopterski disability case; therefore, Kopterski's application for a duty disability benefit is not properly before this Board.

*It was moved by Trustee Lappe, seconded by Trustee Wright that the Board adopt the Order on the Colette Kopterski disability claim.*

**ROLL CALL**

For: Avila, Hamburger, Hauser, Lappe, Wright 5.

Absent: Brown, Maloney, Summers 3.

Against: 0.

**Kelly Hespe.** On the duty disability claim, the Board finds that Hespe is not disabled as defined in the Pension Act; and, therefore, she is not entitled to a disability benefit.

*It was moved by Trustee Wright, seconded by Trustee Lappe that the Board adopt the Order on the Kelly Hespe disability claim.*

**ROLL CALL**

For: Avila, Hamburger, Hauser, Lappe, Wright 5.

Absent: Brown, Maloney, Summers 3.

Against: 0.

*It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board enter into Executive Session per 2 (c)(11).*

**ROLL CALL**

For: Avila, Hamburger, Hauser, Lappe, Wright 5.

Absent: Brown, Maloney, Summers 3.

Against: 0.

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*(WHEREUPON, Trustee Brown entered the proceedings.)*

*It was moved by Trustee Lappe, seconded by Trustee Wright that the Board exit the Executive Session.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Wright 6.

Absent: Maloney, Summers 2.

Against: 0.

**Thomas Sieja.** On the duty disability claim, the Board reviewed the medical records.

*It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board affirm the original Order on Thomas Sieja's disability application.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Wright 6.

Absent: Maloney, Summers 2.

Against: 0.

*(WHEREUPON, Trustee Summers entered the proceedings.)*

Presentation by Tim Bowan of Mesirow Financial Insurance Services, concerning the Fund's renewal terms of the Fund's fiduciary liability insurance. Mr. Bowan confirmed Mesirow's procedures included contacting every insurance carrier that underwrites fiduciary insurance for public pension funds, in an attempt to secure the most aggressive pricing and coverage on behalf of the Board of Trustees.

After review and discussion *it was moved by Trustee Wright, seconded by Trustee Summers that the Board approve renewal of the fiduciary liability insurance from September 30, 2015, to September 30, 2016.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent: Maloney 1.

Against: 0.

In the absence of the Recording Secretary, President Hauser conducted the general agenda as follows:

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1 - 5            Incurred Expenses for the Month of August 2015.

*It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the Obligations as detailed on pages 1 through 5.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent: Maloney 1.

Against: 0.

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6 - 13            Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations,  
Widow's Annuity Accumulations-Revised and Exempt Rank.

*It was moved by Trustee Wright, seconded by Trustee Avila that the Board approve the Refunds as detailed on pages 6 through 13.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

14 - 15           Payment to Heirs of Deceased Annuitants

*It was moved by Trustee Summers, seconded by Trustee Avila that the Board approve the Payments to Heirs of Deceased Annuitants as detailed on pages 14 and 15.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

16                Refund of Unused Annuity Accumulations

*It was moved by Trustee Wright, seconded by Trustee Avila that the Board approve the Refund of Unused Annuity Accumulations as detailed on page 16.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

17 - 20           Annuities [Summary pg. 21]

*It was moved by Trustee Avila, seconded by Trustee Wright that the Board approve the Annuities as detailed on pages 17 through 20.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

22 - 29           Annuities – Revised

*It was moved by Trustee Avila, seconded by Trustee Summers that the Board approve the Revised Annuities as detailed on pages 22 through 29.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

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30 - 31        Annuities to Widows [Summary pg. 32]

*It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the Annuities to Widows as detailed on pages 30 and 31.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

33              Annuities to Children

*It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board deny the child annuity application of Sharon Salerno, daughter of Anthony Salerno.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

*It was then moved by Trustee Wright, seconded by Trustee Lappe that the child annuity applications of pertaining to John Meehan and Kazan Wilson as detailed on page 33, be approved.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

34              Duty / Occupational Disease Disability Benefits

a) **Stoppa, Sandra R.**

*It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board defer all benefits pending a full hearing.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

b) **Wilson, Regina**

*It was moved by Trustee Hamburger, seconded by Trustee Brown that the Board defer all benefits pending a full hearing.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

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35 - 37      Payments of Death Benefits [Summary pg. 38]

*It was moved by Trustee Hamburger, seconded by Trustee Brown that the Board approve the Death Benefits as detailed on pages 35 through 37.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

39            PETITION FOR PENSION CREDIT FOR PRIOR MILITARY  
SERVICE UNDER 5-214.3

*It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the request to purchase pension credit for prior military service detailed on page 39.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

40            PETITIONS FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214  
**Eddie Okon**

*It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board defer the request to purchase pension credit for prior service detailed on page 40.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:        Maloney 1.

Against:      0.

General Agenda Completed.

The Board's President called for the hearings on the scheduled cases.

HEARINGS

41            PETITION FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214  
**George Newell**

George Newell appeared before the Board on his petition. After discussion from the Board's counsel, Mr. Newell requested a continuance in order to retain an attorney to represent his interests.

*It was moved by Trustee Lappe, seconded by Trustee Wright that the Board grant a continuance to Officer Newell.*

ROLL CALL

For:            Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:        0.

Against:      0.

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42                    PETITION FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214

**Robin Cooper**

Robin Cooper appeared before the Board on her petition to purchase pension credit for prior service.

*It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board deny the request to purchase pension credit for prior services detailed on page 42.*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:            Maloney 1.

Against:          0.

*(WHEREUPON, Trustee Maloney entered the proceedings.)*

*It was moved by Trustee Lappe, seconded by Trustee Brown that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.

*It was moved by Trustee Avila, seconded by Trustee Wright that the Board exit the executive session.*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.

**DISABILITY HEARINGS**

DISABILITY STATUS REVIEWS

43                    **Melissa Aguilera**

Melissa Aguilera appeared, with counsel, on her disability status review. After hearing testimony from the Officer, the Board's physician, a Sergeant assigned to the CPD Medical Section and reviewing the documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.

*It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board exit the executive session.*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.

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43                      **Melissa Aguilera**, continued

*It was moved by Trustee Wright, seconded by Trustee Lappe that the Board terminate Melissa Aguilera's duty disability benefit effective September 30, 2015; and to reinstate the duty disability benefits for July, August and September 2015.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.

44                      **Neal Ivers**

Neal Ivers appeared, with counsel, on his disability status review. After hearing testimony from the Officer, the Board's physician and reviewing the documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Summers that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.

*It was moved by Trustee Lappe, seconded by Trustee Avila that the Board exit executive session.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.

A Sergeant from the CPD medical section provided testimony in this matter. At the conclusion of this testimony, *it was moved by Trustee Hamburger, seconded by Trustee Wright that the Board terminate Neal Ivers' duty disability benefit effective September 30, 2015.*

ROLL CALL

For:                  Avila, Hamburger, Lappe, Wright 4.

Absent:            0.

Against:          Brown, Hauser, Maloney, Summers 4.

MOTION FAILS

*It was then moved by Trustee Hamburger, seconded by Trustee Summers that the Board direct that Neal Ivers return for another disability status hearing in six months.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:            0.

Against:          0.



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45                      **Nancy Moreno**

Nancy Moreno appeared, with counsel, on her disability status review. After hearing testimony from the Officer, the Board's physician, a Sergeant for the CPD Medical Section, and reviewing the documents submitted, *it was moved by Trustee Avila, seconded by Trustee Hamburger that the Board go into executive session.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:             0.

Against:           0.

*It was moved by Trustee Hamburger, seconded by Trustee Brown that the Board exit the executive session.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:             0.

Against:           0.

*It was then moved by Trustee Hamburger, seconded by Trustee Wright that the Board terminate Nancy Moreno's duty disability benefit effective September 30, 2015.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Wright 6.

Absent:             Summers 1.

Against:           Maloney 1.

46                      **Daniel O'Connor**

Daniel O'Connor appeared, with counsel, on his disability status review. After hearing testimony from the Officer, a Sergeant for the CPD Medical Section, and reviewing the documents submitted, *it was moved by Trustee Avila, seconded by Trustee Hamburger that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:             0.

Against:           0.

*It was moved by Trustee Avila, seconded by Trustee Lappe that the Board exit the executive session.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:             0.

Against:           0.

*It was moved by Trustee Summers, seconded by Trustee Brown that the Board terminate Daniel O'Connor's duty disability benefit effective September 30, 2015.*

ROLL CALL

For:                  Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:             0.

Against:           Maloney 1.

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47                            **Timothy O'Brien**

Attorney for Timothy O'Brien appeared before the Board requesting a continuance on the disability status hearing. This is the first request for a continuance; *it was moved by Trustee Wright, seconded by Trustee Summers that the Board grant a continuance to Officer O'Brien.*

ROLL CALL

For:                    Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:                0.

Against:              0.

48                            **Perry Whiteside**

Perry Whiteside appeared, with counsel, on his disability status review. After hearing testimony from the Officer, the Board's physician and reviewing the documents submitted, *it was moved by Trustee Hamburger, seconded by Trustee Avila that the Board go into executive session per 2 (c)(11).*

ROLL CALL

For:                    Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:                0.

Against:              0.

*It was moved by Trustee Hamburger, seconded by Trustee Brown that the Board exit the executive session.*

ROLL CALL

For:                    Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent:                0.

Against:              0.

THE DISABILITY STATUS OF PERRY WHITESIDE REMAINS UNCHANGED AT THIS TIME;  
REVISIT IN SIX MONTHS.

49                            **TOTAL & PERMANENT DISABILITY CLAIM**

**Richard Sanabria**

Richard Sanabria appeared, with counsel, before the Board on his application for a total and permanent disability benefit. After hearing testimony from the Officer, the Board's physician, the officer's treating physician and reviewing the documents submitted, *it was moved by Trustee Lappe, seconded by Trustee Wright, that the Board approve total and permanent disability benefits for Richard Sanabria.*

ROLL CALL

For:                    Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent:                Maloney 1.

Against:              0.

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50                    ORDINARY DISABILITY CLAIM  
                         **Minerva Del Rivero**

Minerva Del Rivero appeared, with counsel, before the Board on her application for an ordinary disability benefit. After hearing testimony from the Officer, Board's physician and reviewing the documents submitted, *it was moved by Trustee Lappe, seconded by Trustee Wright, that the Board award an ordinary disability benefit for Officer Del Rivero.*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.  
Absent:           Maloney 1.  
Against:          0.

51                    DUTY DISABILITY CLAIMS  
                         **Frank Ranieri**

Frank Ranieri appeared, with counsel, before the Board on his application for a duty disability benefit. After hearing testimony from the Officer, the Board's physician, and reviewing the documents submitted, *it was moved by Trustee Wright, seconded by Trustee Brown, that the Board award a duty disability benefit.*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.  
Absent:           Maloney 1.  
Against:          0.

*It was then moved by Trustee Wright, seconded by Trustee Avila that the Board grant the duty award at 75% of salary as defined in the Pension Act.*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.  
Absent:           Maloney 1.  
Against:          0.

**Shannon Spalding**

*It was moved by Trustee Hamburger, seconded by Trustee Avila, that the Board defer this matter for further hearing.*

ROLL CALL

For:                Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.  
Absent:           Maloney 1.  
Against:          0.

The Executive Director reviewed with the Board the following matters.

- Discussion concerning the upcoming Trustee Elections. The Board, with a quorum present, is required to conduct a Petition Sufficiency hearing on Thursday October 1, 2015. After discussion; it was determined a 9:00 am start for this meeting would accommodate the attendance of a quorum.
- Reminder that the Police Memorial Foundation, Gold Star Family Reception is Wednesday, September 16, 2015, at 5:00 pm. All Trustees are invited, and the Fund's staff will be invited.

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- A question has arisen recently from several officers seeking to purchase Cook County time under 214(c), who previously worked for the County in various positions, such as deputy sheriff, correctional officer, et cetera. As part of the service purchase application, each officer submits documents indicating his/her employment from the former employer. The Fund also obtains confirmation that each applicant removed his/her contributions from the Cook County Pension Fund. Each officer is then placed on agenda for the purchase request. Recently, a few officers have indicated that they would like to purchase a fraction of their prior service, not the entire employment period. The practice has been that that whole employment period is purchased, not fractions thereof.

AFTER DISCUSSION AND AGREEMENT AMONGST THE TRUSTEES, THE POLICY IN PLACE SHALL CONTINUE. APPROVAL AND PAYMENT FOR THE ENTIRE PERIOD OF PRIOR SERVICE SHALL BE REQUIRED.

- A reminder that the RFP for the Investment Consultant was posted on the Fund's website. Additionally, an ad will be placed in Pensions & Investments.
- Continuation of discussion from the previous monthly meeting of the Board concerning communication from the Justice Department and the City of Chicago regarding a hiring discrimination suit. The question left open from the prior meeting was which Tier would these individuals be placed; Tier 1 or Tier 2. If these individuals elect to purchase pension credit back to 2008, would they be afforded the opportunity to be a Tier 1 member; or because the actual hire date will be 2016, are they Tier 2?

THE CONSENSUS OF THE BOARD IS THAT TIER PLACEMENT WOULD BE IN ACCORDANCE WITH THE HIRE DATE SELECTED AND PENSION CONTRIBUTIONS MADE. IF SELECTED DATE IS PRIOR TO 01/01/2011, THEY ARE A TIER 1; AFTER THAT DATE WOULD BE TIER 2.

- The Board's physician has recommended testing to be completed on certain members in receipt of disability benefits.

*It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board approve the recommendation of the Board's physician to have a FCE performed on **Brenda Ware**, a disability recipient.*

### ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent: Maloney 1.

Against: 0.

*It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board go into executive session per 2 (c) (11).*

### ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent: Maloney 1.

Against: 0.

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*It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board exit the executive session.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Summers, Wright 7.

Absent: Maloney 1.

Against: 0.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

Trustee Avila requested permission to attend the Emerging Managers Summit in November 2015.

*It was moved by Trustee Hamburger, seconded by Trustee Maloney that the Board allow Trustee Avila, and any other Trustee who wishes to attend, this conference.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.

All business concluded for this date, *it was moved by Trustee Wright, seconded by Trustee Brown that this meeting be adjourned.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Summers, Wright 8.

Absent: 0.

Against: 0.